

# *The* SECOND CONSTITUTIONAL CONVENTION



HOW THE AMERICAN PEOPLE  
CAN TAKE BACK THEIR GOVERNMENT

RICHARD LABUNSKI

# Second Constitutional Convention How The American People Can Take Back Their Government

**Russ Feingold, Peter Prindiville**



## **Second Constitutional Convention How The American People Can Take Back Their Government:**

*The Article V Amendatory Constitutional Convention* Thomas E. Brennan, 2014-10-08 This book describes the process of amending the federal constitution as defined in Article V by means of a convention for proposing amendments It shows that the constitution can be amended in two ways either by ratifying an amendment proposed by the Congress or by ratifying an amendment proposed by a convention Article V requires the Congress to call a convention whenever the legislatures of two thirds of the states request one The federal constitution has been amended twenty seven times All 27 amendments were proposed by the Congress There has never been an Article V amendatory constitutional convention in the 230 year history of the nation Over the years every state in the union has asked for a convention at one time or another Congress has never acknowledged those requests or evaluated them The history of the 1787 constitutional convention in Philadelphia shows that the founders intended the Article V convention to be a means for the states to seek amendments which the Congress refuses to consider The book describes the efforts of a number of citizens groups that are trying to get an Article V convention and it describes the weaknesses and strengths of each It comes to several conclusions A That the Congress will never voluntarily call a convention no matter how many petitions are received because a convention might propose amendments which would decrease the powers or prerogatives of Congress B That the states have the right to call an Article V convention without the concurrence of the Congress whenever two thirds of the states wish to participate C That citizens of the several states have the constitutional right to organize a convention for proposing amendments without the call of Congress or the approval of the state legislatures D That no amendment proposed by a convention of any kind will become a part of the federal constitution unless it is ratified by three quarters of the states as required by Article V The book urges the convening of a constitutional convention by the voluntary action of citizens and recommends a number of matters that should be on its agenda

*Taking Back the Constitution* Mark Tushnet, 2020-07-14 How the Supreme Court's move to the right has distorted both logic and the Constitution What Supreme Court justices do is far more than just calling balls and strikes The Court has never simply evaluated laws and arguments in light of permanent and immutable constitutional meanings Social moral and yes political ideas have always played into the justices impressions of how they think a case should be decided Mark Tushnet traces the ways constitutional thought has evolved from the liberalism of the New Deal and the Great Society to the Reagan conservatism that has been dominant since the 1980s Looking at the current crossroads in the constitutional order Tushnet explores the possibilities of either a Trumpian entrenchment of the most extreme ideas of the Reagan philosophy or a dramatic and destabilizing move to the left Wary of either outcome he offers a passionate and informed argument for replacing judicial supremacy with popular constitutionalism a move that would restore to the other branches of government a role in deciding constitutional questions

*The Second Constitutional Convention* Richard E. Labunski, 2000 People are fed up with politics in this country and with good reason Under our Constitution we are supposed to be able to throw out elected

officials who care more about contributors and lobbyists than the citizens they represent Yet incumbents are able to raise so much campaign money it is almost impossible to defeat them      *The Constitution in Jeopardy* Russ Feingold, Peter Prindiville, 2022-08-30 A former U S senator joins a legal scholar to examine a hushed effort to radically change our Constitution offering a warning and a way forward Over the last two decades a fringe plan to call a convention under the Constitution s amendment mechanism the nation s first ever has inched through statehouses Delegates like those in Philadelphia two centuries ago would exercise nearly unlimited authority to draft changes to our fundamental law potentially altering anything from voting and free speech rights to regulatory and foreign policy powers Such a watershed moment would present great danger and for some great power In this important book Feingold and Prindiville distill extensive legal and historical research and examine the grave risks inherent in this effort But they also consider the role of constitutional amendment in modern life Though many focus solely on judicial and electoral avenues for change such an approach is at odds with a cornerstone ideal of the Founding that the People make constitutional law directly In an era defined by faction and rejection of long held norms *The Constitution in Jeopardy* examines the nature of constitutional change and asks urgent questions about what American democracy is and should be      **Conventional Wisdom** John R. Vile, 2016-03 Article V of the Constitution allows two thirds majorities of both houses of Congress to propose amendments to the document and a three fourths majority of the states to ratify them Scholars and frustrated advocates of constitutional change have often criticized this process for being too difficult Despite this state legislatures have yet to use the other primary method that Article V outlines for proposing amendments it permits two thirds of the state legislatures to petition Congress to call a convention to propose amendments that like those proposed by Congress must be ratified by three fourths of the states In this book John R. Vile surveys more than two centuries of scholarship on Article V and concludes that the weight of the evidence including a much overlooked Federalist essay indicates that states and Congress have the legal right to limit the scope of such conventions to a single subject and that political considerations would make a runaway convention unlikely Charting a prudent course between those who fail to differentiate revolutionary change from constitutional change those who fear ever using the Article V convention mechanism that the Framers clearly envisioned and those who would vest total control of the convention in Congress the states or the convention itself Vile s work will enhance modern debates on the subject

**Encyclopedia of Constitutional Amendments, Proposed Amendments, and Amending Issues, 1789-2015** John R. Vile, 2015-07-20 Now in its fourth edition and completely updated this is the most comprehensive book on constitutional amendments and proposed amendments available Although only 27 amendments have ever been added to the U S Constitution the last one having been ratified in 1992 throughout American history members of Congress have introduced more than 11 000 amendments and countless individuals outside of Congress have advanced their own proposals to revise the Constitution the wellspring of America s legal political and cultural foundations At a time when calls for a new

constitutional convention are on the rise it is essential for students of political science and history as well as American citizens to understand proposed alternatives This updated edition of the established standard for high school and college libraries as well as public and law libraries serves as the go to reference for learning about existing constitutional amendments proposed amendments and the issues related to them An alphabetically arranged two volume set it contains more than 500 entries that discuss amendments that have been proposed in Congress from 1789 to the present It also discusses prominent proposals for extensive constitutional changes introduced outside Congress as well as discussions of major amending issues

*The American Supreme Court* Robert G. McCloskey, 2016-05-02 The sixth edition of the classic and concise account of the US Supreme Court its history and its place in American politics For more than fifty years Robert G McCloskey s classic work on the Supreme Court s role in constructing the US Constitution has introduced generations of students to the workings of our nation s highest court As in prior editions McCloskey s original text remains unchanged In his historical interpretation he argues that the strength of the Court has always been its sensitivity to the changing political scene as well as its reluctance to stray too far from the main currents of public sentiment In this new edition Sanford Levinson extends McCloskey s magisterial treatment to address developments since the 2010 election including the Supreme Court s decisions regarding the Defense of Marriage Act the Affordable Care Act and gay marriage The best and most concise account of the Supreme Court and its place in American politics McCloskey s wonderfully readable book is an essential guide to the past present and future prospects of this institution Praise for *The American Supreme Court* The classic account of the American Supreme Court by the mid twentieth century s most astute student of American constitutionalism updated by the early twenty first century s most astute student of American constitutionalism This is the first work constitutional beginners should and constitutional scholars do turn to Mark Graber University of Maryland School of Law Essential This fifth edition carries on the tradition of earlier iterations keeping McCloskey s keen insights analytical framework and normative instincts intact Levinson supplements the original argument with chapters that draw on his remarkable intellectual range and invite readers to continue asking the still salient questions McCloskey set forth a half century earlier Choice on the fifth edition

*America's Denouement* Brian Strobel, 2005-06 DA c nouement de nu maw n Fr the ultimate outcome to a complicated sequence of contributing events In this powerful and immensely readable book Brian Strobel diagnoses the subtle yet continuous changes experienced by American society over the last fifty years Cchanges that have the potential to destroy the nation By showing how the decline of morality growth of government and impact of modern liberalism are combining with synergistic effects upon American society he makes the immediacy of this threat surprisingly clear This work challenges generally accepted aspects of society as its essence examines America from a historical philosophical and political perspective The concluding analysis of synergistic impacts draws on this earlier discussion and relates choices that America must ultimately decide upon America s DA c nouement presents an opportunity to assist in these

choices by reviewing what America once was what it is now and what its future holds      Knowledge, Consent, and Liberty Steve G. Sweetman, 2020-12-01 The angst of modernity is that of powerlessness disenfranchisement and alienation People everywhere are experiencing helplessness in a world where the few rule and leaders and legislators run roughshod over the masses with a deluge of laws and where technology encroaches upon their daily lives and privacy and an economic inequality never before seen in history The concepts of self determination destroying superstition government by the people questioning all authority and the power of knowledge reason and the authority of the individual is on the verge of dying However as Thomas Paine said We have it in our power to begin the world over again Today s world cries out for a new breed of thinker rational brave bold innovative intuitive and artistic We all need to re evaluate to become questioners explorers and seekers Knowledge Consent and Liberty is about the power of knowledge the supremacy of the consent of the governed the legal and Constitutional right of the people of the globe to form their definitions of liberty freedom and government and their obligation to create their collective destiny Its lofty goal is to challenge empower and enlighten the reader In a logical progression from premises to conclusions it lays out a philosophical historical and scientific argument that humans create their world for good or bad It expounds on current social political and cultural issues that deserve consideration for reform or change And it maps out a constitutional strategy and method for the people to create America and the world in their own image rather than that of a few oligarchs      **Engineering Constitutional Change** Xenophon Contiades, 2012-12-20 This volume provides a holistic presentation of the reality of constitutional change in 18 countries the 15 old EU member states Canada Switzerland and the USA The essays offer analysis on formal and informal constitutional amendment bringing forth the overall picture of the parallel paths constitutional change follows in correlation to what the constitution means and how constitutional law works To capture the patterns of constitutional change multi faceted parameters are explored such as the interrelations between form of government party system and constitutional amendment the interplay between constitutional change and the system of constitutionality review the role of the people civil society and experts in constitutional change and the influence of international and European law and jurisprudence on constitutional reform and evolution In the extensive final comparative chapter key features of each country s amendment procedures are epitomized and the mechanisms of constitutional change are explained on the basis of introducing five distinct models of constitutional change The concept of constitutional rigidity is re approached and broken down to a set of factual and institutional rigidities The classification of countries within models in accordance with the way in which operative amending mechanisms connect leads to a succinct portrayal of different modes of constitutional change engineering This book will prove to be an invaluable tool for approaching constitutional revision either for theoretical or for practical purposes and will be of particular interest to students and scholars of constitutional comparative and public law      **A More Perfect Constitution** Larry J. Sabato, 2010-07-23 The reader can t help but hold out hope that maybe someday some of these sweeping changes could

actually bring the nation's government out of its intellectual quagmire his lively conversational tone and compelling examples make the reader a more than willing student for this updated civics lesson *The Hill* The political book of the year from the acclaimed founder and director of the Center for politics at the University of Virginia *A More Perfect Constitution* presents creative and dynamic proposals from one of the most visionary and fertile political minds of our time to reinvigorate our Constitution and American governance at a time when such change is urgently needed given the growing dysfunction and unfairness of our political system Combining idealism and pragmatism and with full respect for the original document Larry Sabato's thought provoking ideas range from the length of the president's term in office and the number and terms of Supreme Court justices to the vagaries of the antiquated Electoral College and a compelling call for universal national service all laced through with the history behind each proposal and the potential impact on the lives of ordinary people Aware that such changes won't happen easily but that the original Framers fully expected the Constitution to be regularly revised Sabato urges us to engage in the debate and discussion his ideas will surely engender During an election year no book is more relevant or significant than this *Re-Framers* John R. Vile, 2014-07-15 This book is the most comprehensive review of all the major proposals to rewrite revise or even replace the U S Constitution covering more than 170 proposals from the nation's beginnings to the present day The U S Constitution was carefully written by a remarkable group of men but subsequent generations of Americans have devoted enormous time and energy to improving it From colonial times to the present day Americans of all political persuasions have campaigned to reform remake or replace this key document The growth of the Internet and self publishing has spawned a virtual explosion of such proposals This book documents the numerous ideas for change some practical some idealistic and some bordering on fanatical that reflect America's Constitutional heritage and could shape the nation's future *Re Framers 170 Eccentric Visionary and Patriotic Proposals to Rewrite the U S Constitution* sets the stage for this review by describing various prequels to the U S Constitution and explaining how the final document emerged at the Constitutional Convention The subsequent chapters examine many proposed alternatives and revisions to the Constitution from its establishment until the present illuminating perceived strengths and weaknesses of the current document as well as the pros and cons of possible amendments Readers ranging from lay citizens who are interested in constitutional issues to historians political scientists law professors and reference librarians will all benefit from this unparalleled examination of proposed constitutional amendment *Encyclopedia of Constitutional Amendments, Proposed Amendments, and Amending Issues, 1789-2023* John R. Vile, 2023-10-19 Written by a leading scholar of the constitutional amending process this two volume encyclopedia now in its fifth edition is an indispensable resource for students legal historians and high school and college librarians This authoritative reference resource provides a history and analysis of all 27 ratified amendments to the Constitution as well as insights and information on thousands of other amendments that have been proposed but never ratified from America's birth until the present day The

set also includes a rich bibliography of informative books articles and other media related to constitutional amendments and the amending process

**No More - Taking Back America** Thomas Masters,2019-11-13 No More Taking Back America by Dr Thomas Masters Report of the Proceedings and Debates of the Constitutional Convention, State of Virginia Virginia. Constitutional Convention,1906

**Amending America: If We Love the Constitution So Much, Why Do We Keep Trying to Change It?** Richard B. Bernstein,2022-09-25 The story of how the Constitution has been reshaped over the past 200 years to meet America s changing needs Since 1789 27 amendments were adopted creating the Bill of Rights banning liquor protecting the right to vote and reworking how we choose presidents and senators and more than 10 000 failed Proposed amendments tried to stave off the Civil War and then wrote its results into the Constitution A thoughtful history of the Amendments to the Constitution An excellent delineation of issues debated by modern constitutional scholars Kirkus A sober straightforward history of the process of amending the Constitution Publishers Weekly A comprehensive and engaging study of Article V s procedures for amending the constitution Washington Post The authors capture the essence of the importance of the amending process in a highly readable gracefully written book This book which discusses knotty legal and constitutional issues without stuffiness and in plain language should be easy reading for students and laypersons The Journal of American History A readable intelligently organized and well informed history of how and why the Constitution has been amended The Historian S cholarly and readable Human Rights Bernstein s work is engaging and stimulating he is to be commended for explaining so carefully just how complex a set of questions and problems cluster around Article 5 The American Historical Review Well written this volume fills an important gap in the current literature and is likely to be the standard account of amending history for some time to come The American Journal of Legal History A masterful book daring in its scope and impeccable in its execution Amending America is a great work of scholarship that does justice to the United States Constitution as a living and evolving document It is a tribute to the working of American democracy and contributes to our understanding of its evolution and its unfinished agenda Vartan Gregorian President Brown University A magnificent treasure trove of American history which brings to life why our Constitution has remained a living document for over two centuries Amending America is a wonderful book for anyone interested in our country Arthur R Miller Bruce Bromley Professor of Law Harvard Law School Amending America is invaluable for just about anybody seeking to understand the contradictions of our approach to constitutional government With grace insight and considerable information Bernstein and Agel have written what should be the standard work for a long time to come Herbert S Parmet Distinguished Professor of History City University of New York author of Richard Nixon and His America Amending America admirably illuminates the complex and remarkable history of the American people s repeated attempts to amend the Constitution and captures that history s enduring significance Written with scholarship clarity and grace this book recovers a previously neglected dimension of American constitutional history William E Nelson Professor of Law New York University author of The



Fourteenth Amendment From Political Principle to Judicial Doctrine Instructive and fascinating The book is thorough erudite and packed with the anecdotes that make our political past so enjoyable to review Minneapolis Star Tribune An intelligent carefully researched and highly readable account Detroit News Debates and Proceedings of the Constitutional Convention of the State of California, Convened at the City of Sacramento, Saturday, September 28, 1978 California, California. Constitutional Convention, 1880 Constitutional Law for a Changing America Lee Epstein, Kevin T. McGuire, Thomas G. Walker, 2020-09-17 Excellent balance of case excerpts and author explanation highly appropriate for undergraduate students Dr Wendy Brame Briar Cliff University Political factors influence judicial decisions Arguments and input from lawyers and interest groups the ebb and flow of public opinion and especially the ideological and behavioral inclinations of the justices all combine to shape the development of constitutional doctrine Drawing on political science as much as from legal studies Constitutional Law for a Changing America A Short Course helps students realize that Supreme Court cases are more than just legal names and citations With meticulous revising the authors streamline material while accounting for recent landmark cases and new scholarship Ideal for a one semester course the Eighth Edition of A Short Course offers all the hallmarks of the Rights and Powers volumes in a more condensed format Students and instructors benefit from the online Con Law Resource Center which houses the supplemental case archive links to CQ Press reference materials a moot court simulation instructor resources and more **A Stenographic Report of the Proceedings of the Constitutional Convention Held in Atlanta, Georgia, 1877** Georgia. Constitutional Convention, 1877 **Proceedings and Debates of the Constitutional Convention of the State of Ohio** Ohio. Constitutional Convention, 1912

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In a fast-paced world fueled by information and interconnectivity, the spellbinding force of linguistics has acquired newfound prominence. Its capacity to evoke emotions, stimulate contemplation, and stimulate metamorphosis is truly astonishing. Within the pages of "**Second Constitutional Convention How The American People Can Take Back Their Government**," an enthralling opus penned by a highly acclaimed wordsmith, readers set about an immersive expedition to unravel the intricate significance of language and its indelible imprint on our lives. Throughout this assessment, we shall delve to the book is central motifs, appraise its distinctive narrative style, and gauge its overarching influence on the minds of its readers.

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